

REMARKS

Claims 1-8, 11-12, 14-18 and 27 are pending in the present application. In the above amendments, claims 1, 2, 11, 12 and 14-18 have been amended, and new claim 27 has been added.

Applicant respectfully responds to this Office Action.

Claim Rejections – 35 USC § 102

Claim 11 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,077,791 to Salihi.

The rejection of claim 11 as allegedly anticipated by the Salihi patent is respectfully traversed. Claim 11, as amended, recites a method of transitioning a wireless handset from a secure call to a clear call comprising: sending at least one transition message based on a request from a user wishing to transition from a secure call to a clear call, receiving at least one confirmation message, responsive to the transition message, authorizing transition from the secure call to a clear call, and smoothly transitioning to a clear call in response to the received confirmation message. The amendments to claim 11 are supported in the specification at paragraphs [0004] and [0020]. The Salihi patent discloses automatically inhibiting transmissions (step 414) and presenting an error message (step 416) if a mode change is detected (step 412). Only after inhibiting transmissions and presenting an error message is an optional call request transmitted in the current operational mode in an attempt to reestablish communication. See, Figure 4, and column 5, line 60 - column 6, line 5. Applicant asserts that the “current operational mode” at column 6, line 4 is the same “current operational mode” at column 5, line 64, which is the operational mode existing before the mode change was detected (step 412). Thus, the Salihi patent fails to disclose “sending at least one transition message based on a request from a user wishing to transition from a secure call to a clear call, receiving at least one confirmation message, responsive to the transition message, authorizing transition from the secure call to a clear call; and smoothly transitioning to a clear call in response to the received confirmation message,” as recited in claim 11. Accordingly, the rejection of claim 11 as anticipated by the Salihi patent should be withdrawn.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 1-3, 5, 12, 14, 15 and 17 as being unpatentable over U.S. Patent No. 6,151,677 to Walter et al. in view of U.S. Patent No. 5,805,084 to Mannisto.

The rejection of claim 1 as being unpatentable over the Walter patent in view of the Mannisto patent, is respectfully traversed. Claim 1, as amended, recites a method comprising determining whether a wireless handset is in a traditional mode, in an autosecure mode, or in a secure-only mode. If the handset is currently in either the secure-only or the autosecure mode, a secure call is originated if a key is held for a time period greater than the predetermined amount of time, and a clear call is originated if the key is held for a time period less than the predetermined amount of time. Alternatively, if the handset is currently in the traditional mode, a clear call is originated if the key is held for a time period greater than the predetermined amount of time, and a secure call is originated if the key is held for a time period less than the predetermined amount of time. The amendments to claim 1 are supported in the specification at paragraph [0004], and by Figure 2. The Walter and Mannisto patents fail to disclose an secure-only mode or an autosecure mode that are distinct from a separate traditional mode. Thus, the Walter and Mannisto patents fail to disclose “determining whether a wireless handset is in a traditional mode, in an autosecure mode, or in a secure-only mode,” as recited in claim 1. Further, the Walter and Mannisto patents fail to disclose “if the handset is currently in either the secure-only or the autosecure mode, originating a secure call if a key is held for a time period greater than the predetermined amount of time, and originating a clear call if the key is held for a time period less than the predetermined amount of time,” as recited in claim 1. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 1.

It is respectfully submitted that dependent claims 2-3 and 5 are at least allowable for the reasons given above in relation to independent claim 1.

Claims 12, 14, 15 and 17 are apparatus claims having features defined by language similar to that of method claims 1-3 and 5. Accordingly, for the reasons recited above with respect to claims 1-3 and 5, claims 12, 14, 15 and 17 define patentable advances over the Walter and Mannisto patents, and the rejections of claims 12, 14, 15 and 17 should be withdrawn.

The Examiner rejected dependent claims 4 and 16 as being unpatentable over the Walter patent in view of the Mannisto patent, and further in view of U.S. Patent No. 5,845,205 to

Alanara et al. Applicants assert that the Alanara patent fails to remedy the disclosure deficiencies of the Walter and Mannisto patents as described about with respect to claim 1. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejections of claims 4 and 16.

The Examiner rejected dependent claims 6-8 and 18 as being unpatentable over the Walter patent in view of the Mannisto patent, and further in view of U.S. Patent No. 6,442,406 to Harris et al Applicants assert that the Harris patent fails to remedy the disclosure deficiencies of the Walter and Mannisto patents as described about with respect to claim 1. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejections of claims 6-8 and 18.

New Claims

Support for new claim 27 may be located in the specification at paragraph [0004], and by Figure 2. Applicant respectfully asserts that new claim 27 recite patentable features over the cited prior art and should be allowed.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: **April 18, 2008**

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